

OCT 24 2003

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON
U.S. COURT OF APPEALS**

SOSEFO TILI PALU,

Petitioner - Appellant,

v.

JOHN ASHCROFT, Attorney General,

Respondent - Appellee.

No. 02-17446

D.C. No. CV-02-05639 SI

ORDER*

Appeal from the United States District Court
for the Northern District of California
Susan Yvonne Illston, District Judge, Presiding

Argued and Submitted October 8, 2003
San Francisco, California

Before: HAWKINS, THOMAS, and CLIFTON, Circuit Judges.

Sosefo Tili Palu appeals the District Court's denial of his petition for habeas corpus under 28 U.S.C. § 2241. Palu's final order of deportation was issued on September 27, 1997, and he was in deportation proceedings before April 1, 1997,

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

so IIRIRA's transitional rules apply. Because he has since departed the country, this court lacks jurisdiction. *See Hose v. INS*, 180 F.3d 992, 996 (9th Cir. 1999) (en banc).

APPEAL DISMISSED.